

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA,	:	
	:	
v.	:	
	:	CRIMINAL ACTION NO.
ALLEN J.	:	1:17-cr-0224-AT-1
PENDERGRASS,	:	

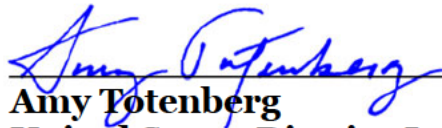
**ORDER**

Presently before the Court is the Magistrate Judge's Report and Recommendation ("R&R") that this Court deny Defendant Allen J. Pendergrass's motion to dismiss Count Six [Doc. 146]. A district judge has broad discretion to accept, reject, or modify a magistrate judge's proposed findings and recommendations. *United States v. Raddatz*, 447 U.S. 667, 680 (1980). The Court notes that no objections have been filed in response to the Magistrate Judge's Report and Recommendation. Therefore, in accordance with 28 U.S.C. § 636(b)(1) and Rule 59 of the Federal Rules of Criminal Procedure, the Court has reviewed the Magistrate Judge's Recommendation for clear error and finds none.

Accordingly, the Court receives the Magistrate Judge's Report and Recommendation with approval and hereby **ADOPTS** the Report and

Recommendation as the opinion of this Court [Doc. 146]. For the reasons stated in the Magistrate Judge's Report and Recommendation, the Court **DENIES** Defendant's Motion to Dismiss Count Six [Doc. 131].

**IT IS SO ORDERED** this 12th day of February, 2020.

  
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**Amy Totenberg**  
**United States District Judge**